

**Community Planning and Economic Development Department – Planning Division**  
Rezoning, Conditional Use Permit, six Variances, Site Plan Review and a partial Alley Vacation  
BZZ-1605

**Date:** March 22, 2004

**Applicant:** The Cornerstone Group

**Address of Property:** 2848 Pleasant Avenue South, 2825 Grand Avenue South and 2821 Grand Avenue South

**Contact Person and Phone:** Wayne Olson, (952) 942-6900, extension 12

**Planning Staff and Phone:** Hilary Watson, (612) 673-2639

**Date Application Deemed Complete:** February 24, 2004

**End of 60-Day Decision Period:** April 24, 2004

**End of 120-Day Decision Period:** Not applicable

**Ward:** 6      **Neighborhood Organization:** Whittier Alliance

**Existing Zoning:** I2

**Proposed Zoning:** R5

**Proposed Use:** 58-unit condominium development

**Previous Actions:** None

**Concurrent Review:**

**Rezoning:** petition to change the zoning classification for the properties located at 2848 Pleasant Avenue South and 2825 Grand Avenue South from I2 to R5

**Conditional use permit:** for a 58-unit condominium development.

**Variance:** to reduce the front yard setbacks along Pleasant Avenue South and Grand Avenue South from the required 15 feet to zero feet to allow for the existing building to remain.

**Variance:** to reduce the south interior side yard setback from the required 9 feet to zero feet to allow for the existing building to remain.

**Variance:** to reduce the front yard setback along Pleasant Avenue South from the required 15 feet to zero feet to allow a trash enclosure and a parking area.

**Variance:** to increase the height of a fence located in the front yard along Pleasant Avenue South from the permitted 4 feet to 13 feet 6 inches (fence) and 5 feet 6 inches (gate).

**Variance:** to increase the height of a fence located in the front yard along Grand Avenue South from the permitted 4 feet to 5 feet 6 inches.

**Variance:** to increase the width of a walkway located in the front yard setback along Pleasant Avenue South and Grand Avenue South from the permitted 6 feet to 14 feet.

**Major site plan review.**

**Alley vacation (Vac1430).**

**Background:** The proposed development is located in the Whittier Neighborhood. The site is located on the north side of the Midtown Greenway between Pleasant Avenue South and Grand Avenue South. The building located at 2848 Pleasant Avenue South was built in 1917 as a steel foundry. In the 1950's, the building was converted to a machine shop for Midwestern Machinery.

The applicant is proposing to convert the existing industrial building to a 58-unit, for-sale condominium development. Recent additions to the building will be removed as part of the conversion. The project includes the reconfiguration of the existing public alley, the reconfiguration of the surface parking area, individual patios for some of the units and direct access to the Midtown Greenway.

The majority of the property is zoned I2. Dwelling units are not a permitted use in the industrial zoning districts. The applicant has applied to rezone the property to R5. Additional applications include a conditional use permit, six variances, major site plan review and an alley vacation.

**Neighborhood Review:** The applicant met with the Whittier Alliance on February 26, 2004. The neighborhood organization voted to support the requested applications.

**Attachments:**

1. Letter from the property owner
2. Statement of proposed use
3. Conditional use permit and variance findings
4. Alley vacation application and received comments
5. February 3, 2004 letter to CM Dean Zimmerman and the Whittier Alliance
6. March 3, 2004 letter from the Whittier Alliance
7. Zoning Map
8. Site, elevation and floor plans
9. Photographs of the site and surrounding area

**REZONING**

**Zoning Plate Number: 25**

**Legal Description:**

Parcel A:

Lot 12, Block 4, Excelsior Addition to Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota.

Parcel B:

Lots 8 and 9 and the South 4 feet of Lot 7, Block 1, and all of Lots 1 to 11, both inclusive, Block 4, Excelsior Addition to Minneapolis, together with that part of vacated alley in said Block 4 lying Northerly of a line drawn from the Southeast corner of Lot 7, said Block 4 to the Southwest corner of Lot 6, Block 4, and lying Southerly of a line drawn from the Northeast corner of Lot 1, said Block 4 to the Northwest corner of Lot 2, said Block 4, as vacated in Book 402 of Misc., Page 132, Book 177 of Misc., Page 353, Book 248 of Misc., Page 425.

Parcel C:

ALSO, All that part of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 34, Township 29, Range 24 described as follows: Beginning at the Southeast corner of Block 4, Excelsior Addition to Minneapolis, according to the recorded plat thereof, thence South along the extension of the East line of said Block 4 to a point 100 feet North of the South line of said Northeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$ , thence West parallel with said South line of Northeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  to the intersection with extension South, of the West line of said Block 4, Excelsior Addition to Minneapolis, thence North along said extension line to the Southwest corner of said Block 4, thence East along the South line of said Block 4 to the point of beginning, according to the United States Government Survey, Hennepin County, Minnesota.

### **Findings as Required by the Minneapolis Zoning Code:**

#### **1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

The site is located in a light industrial area. The site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Maintain and strengthen the character of the city's various residential areas.
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban form.
- Increase citizen awareness of preservation and the important role it plays in fostering community revitalization and civic pride.
- Promote increased housing production in designated areas of the City in order to accommodate population growth.
- Promote more intensive residential development along these corridors where appropriate.

The applicant is proposing to convert an existing industrial building to a 58-unit, for-sale condominium development. Converting this building will strengthen the surrounding residential neighborhood as the project will restore an existing building, remove blight along the public streets and will increase the tax base. This development will also increase home ownership opportunities in the Whittier neighborhood which has an 89 percent rental rate. Uses in the area include a mixture of dwelling units and commercial and industrial uses. Converting this industrial building to 58 dwelling units would not be out of character with the surrounding area.

#### **2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

The amendment will allow the applicant to convert the existing industrial building to 58 for-sale condominium units. The conversion of this industrial building to dwelling units is in the public interest as the site is located in the middle of a residential neighborhood. Converting this building will increase the tax base and will also increase home ownership opportunities in the Whittier neighborhood which has an 89 percent rental rate.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

The site is bordered by R2B zoning to the east, I2 zoning to the south, I1 zoning to the west and R5 zoning to the north. Adjacent uses include a mixture of dwelling units and commercial and industrial uses. Given the varying zoning classifications and the mixture of the adjacent land uses the proposed R5 zoning district is compatible with the immediately surrounding area.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

There are reasonable uses of the property permitted under the I1 zoning district. The I1 zoning district is a light industrial district. Permitted uses in the I1 district include, but are not limited to, the following:

- Light industrial uses.
- Greenhouse, wholesale.
- Self service storage.
- Art gallery.
- Office supply sales and service.
- Restaurant, sit down, including the serving of alcoholic beverages with general entertainment.
- Clinic, medical or dental.
- Community garden.

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

Under the 1963 Zoning Code, the subject property and the surrounding area was zoned similarly as it is today. In the past few years there have been several multi-family residential developments approved and constructed nearby. Several more residential developments have been recently approved and are in the process of being constructed.

**CONDITIONAL USE PERMIT** - for a 58-unit condominium development

**Findings as Required by the Minneapolis Zoning Code:**

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

**1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The Planning Department does not believe that 58 units of for-sale condominiums will be detrimental to the surrounding area. The proposed development compliments other uses in the area and the additional residential units will strengthen the owner-occupied base within the neighborhood. According to the 2000 Census, approximately 89 percent of the dwellings in the Whittier Neighborhood are rental. This project will add a stabilizing element to the neighborhood.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

**Use**

The Planning Department does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. Utilizing the site for a 58-unit for-sale condominium development would provide additional opportunities for housing within the neighborhood. The addition of 58 condominiums will promote visibility in the neighborhood. There will be an on-site management service that will maintain the building and its grounds and therefore will help preserve the characteristics of this neighborhood. Adjacent uses include a mixture of dwelling units and commercial and industrial uses.

**Character**

The applicant will be restoring the existing industrial building therefore maintaining the existing character of the surrounding area. In addition, the applicant will be reconfiguring the existing public alley, reconfiguring the surface parking area and landscaping the site.

**Parking and Access**

Residential uses in the R5 zoning district need to provide one space per dwelling unit. The parking requirement for this development is 58 spaces. The applicant is providing a total of 73 parking stalls in a surface parking area located on the north side of the building. The parking area is accessed via a driveway off of both Pleasant Avenue South and Grand Avenue South.

**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The parking requirement for this development is 58 spaces. The applicant is providing a total of 73 parking stalls in a surface parking area located on the north side of the building. The parking area is accessed via a driveway off of both Pleasant Avenue South and Grand Avenue South.

**5. Is consistent with the applicable policies of the comprehensive plan.**

The site is located in a light industrial area. The site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Maintain and strengthen the character of the city’s various residential areas.
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban form.
- Increase citizen awareness of preservation and the important role it plays in fostering community revitalization and civic pride.
- Promote increased housing production in designated areas of the City in order to accommodate population growth.
- Promote more intensive residential development along these corridors where appropriate.

The applicant is proposing to convert an existing industrial building to a 58-unit, for-sale condominium development. Converting this building will strengthen the surrounding residential neighborhood as the project will restore an existing building, remove blight along the public streets and will increase the tax base. This development will also increase home ownership opportunities in the Whittier neighborhood which has an 89 percent rental rate. Uses in the area include a mixture of dwelling units and commercial and industrial uses. Converting this industrial building to 58 dwelling units would not be out of character with the surrounding area.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located.**

With the approval of the rezoning, conditional use permit, six variances, major site plan review and the alley vacation this development will meet the requirements of the R5 zoning district.

**VARIANCE** - to reduce the front yard setbacks along Pleasant Avenue South and Grand Avenue South from the required 15 feet to zero feet to allow for the existing building to remain

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Front yard setback (building):** The applicant is seeking a variance to reduce the front yard setbacks along Pleasant Avenue South and Grand Avenue South from the required 15 feet to zero feet to allow for the existing building to remain. The applicant has indicated that the building is located at the property lines along both Pleasant Avenue South and Grand Avenue South. By converting the building from an industrial use to a residential use the building becomes non-conforming as to setbacks located along the east and west sides. In order to make the building compliant with all zoning code requirements the applicant has applied for these variances. In the worst case scenario if this building were destroyed setback variances would need to be applied for in order to build the building where it is located today.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Front yard setback (building):** The location of the existing building is a unique circumstance of this parcel of land.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Front yard setback (building):** The granting of the setback variances will not significantly affect the essential character of the area given that the building is currently located at the property lines along Pleasant Avenue South and Grand Avenue South.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Front yard setback (building):** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

**VARIANCE** - to reduce the south interior side yard setback from the required 9 feet to zero feet to allow for the existing building to remain

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**South interior side yard setback:** The applicant is seeking a variance to reduce the south interior side yard setback from the required 9 feet to zero feet to allow for the existing building to remain. The applicant has indicated that the building is located at the south interior property line. By converting the

building from an industrial use to a residential use the building becomes non-conforming as to setbacks located along the south side. In order to make the building compliant with all zoning code requirements the applicant has applied for this variance. In the worst case scenario if this building were destroyed a setback variance would need to be applied for in order to build the building where it is located today.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**South interior side yard setback:** The location of the existing building is a unique circumstance of this parcel of land.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**South interior side yard setback:** The granting of the setback variance will not significantly affect the essential character of the area given that the building is currently located at the south interior property line.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**South interior side yard setback:** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

**VARIANCE** - to reduce the front yard setback along Pleasant Avenue South from the required 15 feet to zero feet to allow a trash enclosure and a parking area

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Front yard setback (trash enclosure and parking area):** The applicant is seeking a variance to reduce the front yard setback along Pleasant Avenue South from the required 15 feet to zero feet to allow a trash enclosure and a parking area. The applicant has indicated that although the trash enclosure and the parking area will be located in the required front yard setback they will not be visible from the public street as there is an existing 13 foot 6 inch solid fence located along the Pleasant Avenue South property line that will remain.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic**

**considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Front yard setback (trash enclosure and parking area):** The location of the existing 13 foot 6 inch solid fence is a unique circumstance of this parcel of land.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Front yard setback (trash enclosure and parking area):** Allowing the trash enclosure and the parking area to be built within the front yard setback will not significantly affect the essential character of the area as the existing solid fence will conceal them from the public street.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Front yard setback (trash enclosure and parking area):** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed setback be detrimental to welfare or public safety.

**VARIANCE** - to increase the height of a fence located in the front yard along Pleasant Avenue South from the permitted 4 feet to 13 feet 6 inches (fence) and 5 feet 6 inches (gate)

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Fence height along Pleasant Avenue South:** The applicant is seeking a variance to increase the height of a fence located in the front yard along Pleasant Avenue South from the permitted 4 feet to 13 feet 6 inches (fence) and 5 feet 6 inches (gate). The applicant has indicated that when a portion of the building is removed along Pleasant Avenue South that most likely the portion of the adjacent existing 13 foot 6 inch solid fence will need to be removed as well. The applicant has indicated that they would like to rebuild that portion of the solid fence in order to maintain the existing character of the streetscape along Pleasant Avenue South. In addition, the applicant has indicated that for aesthetic and security purposes 2, 5 foot 6 inch high gates would be installed to fully enclose the parking area.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Fence height along Pleasant Avenue South:** The height of the existing solid fence along Pleasant Avenue South is a unique circumstance of this parcel of land. However, staff does not believe that any unique circumstances exist that would warrant the need to increase the height of the two proposed gates.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Fence height along Pleasant Avenue South:** The granting of the variance to increase the height of the portion of the solid fence that would be rebuilt would not significantly affect the essential character of the area as the height of the existing solid fence is 13 feet 6 inches high. However, allowing the applicant to install 2, 5 foot 6 inch high gates that would fully enclose the parking area could significantly affect the essential character of the area as the nature of the site is being converted from industrial to residential and the idea of having “gated communities” within the City is not looked upon favorably in the middle of an existing residential area.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Fence height along Pleasant Avenue South:** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the height of the fence and the two gates be detrimental to welfare or public safety.

**VARIANCE** - to increase the height of a fence located in the front yard along Grand Avenue South from the permitted 4 feet to 5 feet 6 inches

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Fence height along Grand Avenue South:** The applicant is seeking a variance to increase the height of a fence located in the front yard along Grand Avenue South from the permitted 4 feet to 5 feet 6 inches. The applicant has indicated that for aesthetic and security purposes a 5 foot 6 inch high fence with gates would be installed to fully enclose the parking area.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Fence height along Grand Avenue South:** Staff does not believe that any unique circumstances exist that would warrant the need to increase the height of the fence with gates.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Fence height along Grand Avenue South:** Allowing the applicant to install a 5 foot 6 inch high fence with gates that would fully enclose the parking area could significantly affect the essential character of the area as the nature of the site is being converted from industrial to residential and the idea of having “gated communities” within the City is not looked upon favorably in the middle of an existing residential area.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Fence height along Grand Avenue South:** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the height of the fence and the gates be detrimental to welfare or public safety.

**VARIANCE** - to increase the width of a walkway located in the front yard setback along Pleasant Avenue South and Grand Avenue South from the permitted 6 feet to 14 feet

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Walkway width:** The applicant is seeking a variance to increase the width of a walkway located in the front yard setback along Pleasant Avenue South and Grand Avenue South from the permitted 6 feet to 14 feet. The applicant has indicated that the width of the walkways are wider than 6 feet so they can accommodate the width of the accessible pedestrian gates.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Walkway width:** Staff does not believe that any unique circumstances exist that would warrant the need to increase the width of the walkways.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Walkway width:** The intent of the zoning code is to minimize the width of walkways in order to reduce the amount of impervious surfaces on a site. The applicant can accommodate accessible walkways leading into the site by eliminating the gates altogether. The gates lend themselves to the idea of having

“gated communities” within the City which is not looked upon favorably in the middle of an existing residential area.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Walkway width:** Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed width of the walkways be detrimental to welfare or public safety.

### **SITE PLAN REVIEW**

#### **Findings as Required by the Minneapolis Zoning Code:**

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

#### **Section A: Conformance with Chapter 530 of Zoning Code**

##### **BUILDING PLACEMENT AND FACADE**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- The area between the building and the lot line shall include amenities.**
- The building shall be oriented so that at least one (1) principal entrance faces the public street.**
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.**
- In larger buildings, architectural elements shall be emphasized.**
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.**
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.**
- Entrances and windows:**
  - Residential uses shall be subject to section 530.110 (b) (1).**
  - Nonresidential uses shall be subject to section 530.110 (b) (2).**

- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- The building is existing. It is located at the property line along both Pleasant Avenue South and Grand Avenue South. There are two principal entrances into the building. One of the entrances is located along Grand Avenue South and is located at the property line. The other entrance is located on the north side of the building, internal to the site. This entrance is setback approximately 80 feet from Pleasant Avenue South. The building does reinforce the street wall, maximizes natural surveillance and facilitates pedestrian access.
- The exterior material of the building is brick. Besides cleaning and tuck pointing the brick the applicant is proposing to add windows and doors to all sides of the building. The sides of the building are compatible with the front sides of the building and plain face block is not visible from the two adjacent streets.
- The percentage of windows required for the first floor of the building that faces both Pleasant Avenue South and Grand Avenue South is 20 percent. According to the submitted drawings, there will be 23 percent windows on the Pleasant Avenue South side of the building and 27 percent windows on the Grand Avenue South side of the building.
- All of the required parking is located on the site. The parking area is located on the north side of the building. The parking area is accessed via a driveway off of both Pleasant Avenue South and Grand Avenue South.

**ACCESS AND CIRCULATION**

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- The principal entrance along Grand Avenue South is located right off of the public sidewalk. The applicant is proposing to have walkways leading from both both Pleasant Avenue South and Grand Avenue South to the principal entrance located on the north side of the building.
- There are no bus stops being proposed as part of this development.
- The development conforms with the zoning code and with the requirements of the Public Works

Department in regard to vehicular access and circulation.

- During the winter months snow will be stored on the site.

### **LANDSCAPING AND SCREENING**

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
- Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
  - A decorative fence.
  - A masonry wall.
  - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
- Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.
- All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.
- All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.

### **COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- According to the applicant, once the project is complete approximately 28 percent of the site not

occupied by the building will be landscaped (please see the attached landscaping plan). The zoning code requires that there be at least 40 trees and 200 shrubs planted on the site. The applicant is proposing to have 48 trees and 261 shrubs on the site. The applicant is also proposing to have 208 perennials on the site.

- There is an existing 13 foot 6 inch high solid fence located along the Pleasant Avenue South property line. The applicant is proposing to keep the solid fence and install 2 new 5 foot 6 inch high decorative metal gates. The applicant is also proposing to construct a new 5 foot 6 inch high decorative metal fence with gates along the Grand Avenue South property line. Staff is recommending that there be no gates installed as part of either fence as they would fully enclose the parking area. Enclosing the property could significantly affect the essential character of the area as “gated communities” within the City is not looked upon favorably in the middle of an existing residential area.
- The applicant is proposing to construct a 4 foot high vinyl coated chain link fence along the north property line. This fence meets the zoning code requirements.

### **ADDITIONAL STANDARDS**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

### **COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- The lighting plan conforms with the requirements of the zoning code.
- This building should not block views of important elements in the city.
- This building should have minimal light and air effects on the surrounding area.
- This building should have minimal wind effects on the surrounding area.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. To ensure the welfare of the residents of the development and the residents of the surrounding area the Crime Prevention Specialist has indicated that the existing 13 foot 6 inch wall should be removed, that speed bumps should be installed in the parking lot so traffic does not speed through and that access control measures should be installed around the patios along the Midtown Greenway.
- This site is neither historic nor located in a historic district.

**Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

**ZONING CODE**

With the approval of the rezoning, conditional use permit, six variances, major site plan review and the alley vacation this development will meet the requirements of the R5 zoning district.

**THE MINNEAPOLIS PLAN**

The site is located in a light industrial area. The site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Maintain and strengthen the character of the city’s various residential areas.
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban form.
- Increase citizen awareness of preservation and the important role it plays in fostering community revitalization and civic pride.
- Promote increased housing production in designated areas of the City in order to accommodate population growth.
- Promote more intensive residential development along these corridors where appropriate.

The applicant is proposing to convert an existing industrial building to a 58-unit, for-sale condominium development. Converting this building will strengthen the surrounding residential neighborhood as the project will restore an existing building, remove blight along the public streets and will increase the tax base. This development will also increase home ownership opportunities in the Whittier neighborhood which has an 89 percent rental rate. Uses in the area include a mixture of dwelling units and commercial and industrial uses. Converting this industrial building to 58 dwelling units would not be out of character with the surrounding area.

**Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

No small area plans for this area of Minneapolis have been adopted by the City Council. However, the Lake Street Midtown Greenway Corridor Framework Plan was written and approved by the City Planning Commission in 1999. For this particular area, the plan indicates that there are several redevelopment sites on the north side of the Midtown Greenway, this site being one of them.

**ALTERNATIVE COMPLIANCE**

**The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:**

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally**

designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.

- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.

**COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE**

- Alternative compliance is not warranted for this development.

**VACATION (Vac1430) – Alley Vacation**

**Development Plan:** The site plan for the development is attached.

**Responses from Utilities and Affected Property Owners:** Of the utilities that have responded, Qwest has requested an easement.

**Findings:** Given that the alley is being realigned and that access to and from the alley will be maintained, the Public Works Department and City Planning Department find that the area proposed for the vacation is not needed for any public purpose and it is not part of a public transportation corridor.

**RECOMMENDATIONS**

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the rezoning:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification for the properties located at 2848 Pleasant Avenue South and 2825 Grand Avenue South from I2 to R5.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the conditional use permit:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow a 58-unit condominium development located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South subject to the following conditions:

1. There shall be no more than 58 dwelling units within the building.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the variance:**

Community Planning and Economic Development Department – Planning Division  
BZZ-1605

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the front yard setbacks along Pleasant Avenue South and Grand Avenue South from the required 15 feet to zero feet to allow for the existing building to remain for the property located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the variance:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the south interior side yard setback from the required 9 feet to zero feet to allow for the existing building to remain for the property located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the variance:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the front yard setback along Pleasant Avenue South from the required 15 feet to zero feet to allow a trash enclosure and a parking area for the property located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the variance:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to increase the height of a fence located in the front yard along Pleasant Avenue South from the permitted 4 feet to 13 feet 6 inches (fence) and **deny** the variance to increase the height of a gate located in the front yard along Pleasant Avenue South from 4 feet to 5 feet 6 inches for the property located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the variance:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the height of a fence located in the front yard along Grand Avenue South from the permitted 4 feet to 5 feet 6 inches for the property located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the variance:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the findings above and **deny** the variance to increase the width of a walkway located in the front yard setback along Pleasant Avenue South and Grand Avenue South from the permitted 6 feet to 14 feet for the property located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the site plan review:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan review for a 58-unit condominium development located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South subject to the following conditions:

1. There shall be no gates installed as part of the construction of the fence.
2. The Community Planning and Economic Development Department – Planning Division shall approve the final site, landscaping and elevation plans.
3. The applicant shall obtain an encroachment permit from the Public Works Department for any work done in the right-of-way.
4. All site improvements shall be completed by March 22, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
5. If estimated site improvement costs exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before exterior building permits are issued.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the partial alley vacation:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and the City Council adopt the above findings and **approve** the vacation for the Machinery Lofts project located at 2848 Pleasant Avenue South, 2825 Pleasant Avenue South and 2821 Pleasant Avenue South subject to retention of easements by Qwest as follows:

Part of the “L” shaped alley in Block 1 & 4, Excelsior Addition to Minneapolis.